

**To:** Robin, George[Robin.George@epa.gov]  
**Cc:** Dermer, Michele[Dermer.Michele@epa.gov]  
**From:** Albright, David  
**Sent:** Tue 6/24/2014 2:14:53 PM  
**Subject:** FW: Per our discussion  
[SantaMargaritaKernFrontAquiferExptAppealDaveMitchellLetters\\_04041983\\_061....pdf](#)  
[KernRiver\\_SM\\_DivGettySMAqExpLetters\\_AprJune1983.pdf](#)  
[KernRiver\\_Chanac\\_DivGettyAqExpLetters\\_AprJune1983.pdf](#)  
[Aq Ex - Round Mtn - Walker.pdf](#)  
[Project Approval Letter 22203006 12191997.pdf](#)  
[Project Approval Letter 34000046 02072005.pdf](#)

Hi George,

As you probably have heard, the CA aquifer exemption matter is getting a lot of high-level focus right now. A question I have for you is whether you have any knowledge about the formations described in the attached letters, and/or any knowledge of (or documents regarding) the purported action by EPA to overturn our decision to reject these formations for aquifer exemption. I think we shared some letters like these with you when Jerry S first provided them, but this set may be larger. The gist is that EPA rejected approving about 11 aquifers for exemption when we granted DOGGR primacy, and for four of those aquifers, there is a suggestion that the State appealed our decision and we reversed our decision (that's what these letters from DOGGR to specific operators say). We've not found any documentation to substantiate this, but injection into these formations has become a hot issue because of how fresh they are (all well below 3,000 ppm TDS).

Anyway, if you have any knowledge or insight into this, it would be helpful to hear. I should point out that this is very sensitive right now, so we need to keep this discussion and any deliberations in house.

I'm not really going to be available much today, as I will be in the UIC meeting, but feel free to contact Michele at home if needed.

Thanks,

David

**From:** Moffatt, Brett  
**Sent:** Friday, June 20, 2014 10:31 AM

**To:** Albright, David  
**Cc:** Engelman, Alexa; Busterud, Gretchen; Dermer, Michele  
**Subject:** FW: Per our discussion

These 1983 letters appear to be the same, or similar to, the ones we reviewed yesterday.

Brett Moffatt

US EPA, Region 9

(415) 972-3946

**From:** Reeves, Bruce@DOC [<mailto:Bruce.Reeves@conservation.ca.gov>]  
**Sent:** Friday, June 20, 2014 10:23 AM  
**To:** Moffatt, Brett  
**Subject:** FW: Per our discussion

I got the address backwards. Here they are. Urgently need your research on this.

**From:** Reeves, Bruce@DOC  
**Sent:** Thursday, June 19, 2014 3:06 PM  
**To:** 'BRETT.MOFFATT@EPA.GOV'  
**Subject:** Per our discussion

Call if you have questions.

**Bruce Reeves**

Chief Counsel

Department of Conservation

801 K Street, 24th Floor

Sacramento, CA 95814

(916) 323-6733

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.